

**ICE RECEIPT**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

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**To:** WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Complaint Acknowledged:	06/06/2023
Date Complaint Received:	06/05/2023
Subject of Complaint:	12 - Other
Brief Summary:	complains he was denied recreation on 6/1

This is to acknowledge the complaint you filed which was received on the date indicated. Depending on the nature of the complaint, you may or may not be interviewed by the ICE. A recommendation on the complaint will be made and submitted to the appropriate reviewing authority within 30 days of acknowledgement. A decision will be made by the appropriate reviewing authority within 15 days following receipt of the recommendation unless extended for cause.

**Please write to the ICE if this issue is resolved before you receive an answer.**

**ICE REPORT**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

**To:** WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Complaint Acknowledged:	06/06/2023	Inmate Contacted?	No
Date Complaint Received:	06/05/2023		
Subject of Complaint:	12 - Other		
Document(s) Relied Upon:	DOC 310 inmate handbook		
Brief Summary:	complains he was denied recreation on 6/1		
Summary of Facts:	<p>TM Inmate Welch is complaining that he was denied recreation on 6/1 with no due process. He also states he is not on any loss of recreation sanctions and this is violating his due process rights.</p> <p>WCI has been operating under modified movement since 3/30/23. Inmate is advised the administrative rules have already been suspended. Along with that, movement has changed, shower schedules, corresponding linen exchanges and other modifications to institution operations have been made.</p> <p>Due to the number of inmates not following rules designed for an orderly and safer operation it has become necessary to enforce security precautions, which have been approved by the Warden, and instituted in response to the number of inmate's engaging in intolerable behavior. Restrictions are not punishment. The actions are clearly documented. The discretionary actions are being taken in order to ensure the safety of staff and inmates and to move forward back to normalcy.</p> <p>Inmates are required to stand for count at 6:00am, 12:00 pm (noon), 5:00 p.m. and 9:00 p.m. Inmates must be dressed (shirt and pants required) and stand in clear view near the front of their cell with their cell light on during count. They are also not to cover or hang anything from the cell windows, cell bars, end of the bed, side of the bed, light fixture, or the vents. Staff are logging, while doing count, and at other times, that the inmates are following these rules. These rules exist for the inmates so staff can observe they are safe. Inmates are being given two chances to follow the cell hall rules and on the third refusal to comply with the rules, on the next scheduled recreation day, the inmate is not allowed to attend that recreation period.</p> <p>Inmate Welch on 5/28 did not have his cell front clear on second shift and did</p>		

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**COMPLAINT NUMBER WCI-2023-8259**  
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not stand for 12pm count. 5/29 did not have his cell front clear on second shift and did not stand for count at 5pm. 5/31 did not have his cell front clear on second shift. Due to the non-compliance he was denied to attend recreation on 6/1. Inmate Welch is aware of the cell hall rules. The security precautions are something necessitated in order to maintain orderly operation of the institution and to provide a safer environment for staff and other inmates.

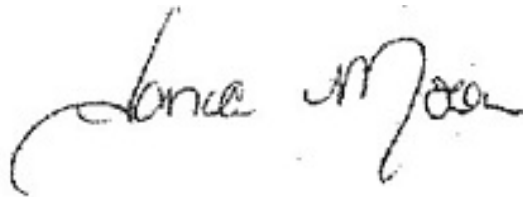
Dismissal is recommended as the institution is on lockdown and administrative rules are currently suspended and the ICE will not intercede upon discretionary actions taken in order to ensure the safety of staff and inmates.

ICE Recommendation:

Dismissed

Recommendation Date:

06/12/2023



T. Moon - Institution Complaint Examiner

**REVIEWING AUTHORITY'S DECISION**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

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**To:** WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Complaint Acknowledged:	06/06/2023
Date Complaint Received:	06/05/2023
Subject of Complaint:	12 - Other
Brief Summary:	complains he was denied recreation on 6/1
ICE's Recommendation:	Dismissed
Reviewer's Decision:	Dismissed
Decision Date:	06/15/2023



R. Hepp - Warden

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A complainant dissatisfied with a decision may, within 14 days after the date of the decision, appeal that decision by filing a written request for review with the Corrections Complaint Examiner on form DOC-405 (DOC 310.12, Wis. Adm. Code).

**CCE RECEIPT**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

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**To:** WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Appeal Acknowledged:	06/28/2023
Date Appeal Received:	06/27/2023
Subject of Complaint:	12 - Other
Brief Summary:	complains he was denied recreation on 6/1

Your request for review has been received.

The Corrections Complaint Examiner (CCE) has 35 days to submit a recommendation to the Office of the Secretary (OOS) for Review. The OOS has 45 days to make a decision after receiving the CCE's report. The OOS may extend the time for making a decision for cause and upon notice to all interested parties.

If you do not receive a decision or other notices within that time, you may write directly to:

Secretary of the Department of Corrections  
Post Office Box 7925  
Madison, WI 53707-7925

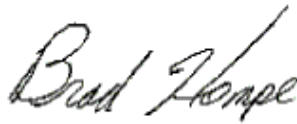
**CCE REPORT**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

---

**To:** WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Appeal Acknowledged:	06/28/2023	
Date Appeal Received:	06/27/2023	
Subject of Complaint:	12 - Other	
Brief Summary:	complains he was denied recreation on 6/1	
Method of Disposition:	Review on Record? <input checked="" type="checkbox"/> Yes	Investigation? <input checked="" type="checkbox"/> No
CCE's Recommendation:	Dismissed Given the suspension of administrative rules and the current situation at WCI causing need for limited movement and restrictions, dismissal is recommended.	
Recommendation Date:	07/31/2023	



B. Hompe - Corrections Complaint Examiner

**OFFICE OF SECRETARY DECISION**  
**COMPLAINT NUMBER WCI-2023-8259**  
**\*\*\* ICRS CONFIDENTIAL \*\*\***

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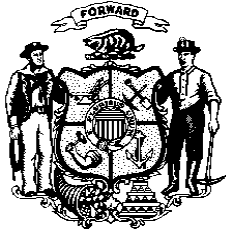
To: WELCH, JUSTIN P. - #579750  
UNIT: \_N-\_D -- \_D48-\_L  
WAUPUN CORRECTIONAL INSTITUTION  
PO Box 351  
WAUPUN, WI 53963-0351

**Complaint Information:**

Date Appeal Acknowledged:	06/28/2023
Date Appeal Received:	06/27/2023
Subject of Complaint:	12 - Other
Brief Summary:	complains he was denied recreation on 6/1
Person(s) Contacted:	OOS
OOS Decision:	Dismissed
Decision Comments:	The following is the Secretary's decision on the Corrections Complaint Examiner's recommendation of 07/31/2023 in the above appeal: The attached Corrections Complaint Examiner's recommendation to DISMISS this appeal is accepted as the decision of the Secretary. The Office of the Secretary has determined that the actions taken by WCI staff are appropriate.
Decision Date:	08/17/2023



C. O'Donnell - Office of the Secretary



GENERAL REPORT  
WCI-2023-8259

**State of Wisconsin**  
Department of Corrections  
**GENERAL REPORT ON INMATE COMPLAINT**

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**Complaint Information:**

Date Complaint Acknowledged: June 06, 2023

Date Complaint Received: June 05, 2023

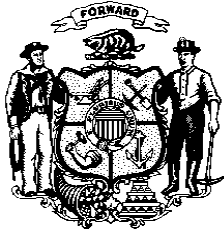
Subject of Complaint: 12 - Other

Brief Summary: complains he was denied recreation on 6/1

**ICE Recommendation Information: (Signed on 6/12/23 4:22:31PM):**

Document(s) Relied Upon: DOC 310  
inmate handbook





State of Wisconsin  
Department of Corrections  
**GENERAL REPORT ON INMATE COMPLAINT**

ICE's Summary of Facts:

TM Inmate Welch is complaining that he was denied recreation on 6/1 with no due process. He also states he is not on any loss of recreation sanctions and this is violating his due process rights.

WCI has been operating under modified movement since 3/30/23. Inmate is advised the administrative rules have already been suspended. Along with that, movement has changed, shower schedules, corresponding linen exchanges and other modifications to institution operations have been made.

Due to the number of inmates not following rules designed for an orderly and safer operation it has become necessary to enforce security precautions, which have been approved by the Warden, and instituted in response to the number of inmate's engaging in intolerable behavior. Restrictions are not punishment. The actions are clearly documented. The discretionary actions are being taken in order to ensure the safety of staff and inmates and to move forward back to normalcy.

Inmates are required to stand for count at 6:00am, 12:00 pm (noon), 5:00 p.m. and 9:00 p.m. Inmates must be dressed (shirt and pants required) and stand in clear view near the front of their cell with their cell light on during count. They are also not to cover or hang anything from the cell windows, cell bars, end of the bed, side of the bed, light fixture, or the vents. Staff are logging, while doing count, and at other times, that the inmates are following these rules. These rules exist for the inmates so staff can observe they are safe. Inmates are being given two chances to follow the cell hall rules and on the third refusal to comply with the rules, on the next scheduled recreation day, the inmate is not allowed to attend that recreation period.

Inmate Welch on 5/28 did not have his cell front clear on second shift and did not stand for 12pm count. 5/29 did not have his cell front clear on second shift and did not stand for count at 5pm. 5/31 did not have his cell front clear on second shift. Due to the non-compliance he was denied to attend recreation on 6/1. Inmate Welch is aware of the cell hall rules. The security precautions are something necessitated in order to maintain orderly operation of the institution and to provide a safer environment for staff and other inmates.

Dismissal is recommended as the institution is on lockdown and administrative rules are currently suspended and the ICE will not intercede upon discretionary actions taken in order to ensure the safety of staff and inmates.

ICE's Recommendation:

Dismissed

ICE's Recommendation Date: June 12, 2023

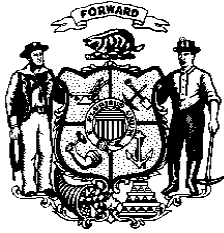
**RA's Decision Information: (Signed on 6/15/23 5:08:47PM):**

RA's Decision:

Dismissed

RA's Decision Date:

June 15, 2023



State of Wisconsin  
Department of Corrections  
**GENERAL REPORT ON INMATE COMPLAINT**

**Appeal to CCE Information:**

Date Appeal Acknowledged: June 28, 2023  
Date Appeal Received: June 27, 2023

**CCE's Recommendation Information: (Signed on 7/31/23 3:47:41PM):**

CCE's Summary: Given the suspension of administrative rules and the current situation at WCI causing need for limited movement and restrictions, dismissal is recommended.

CCE's Recommendation: Dismissed

CCE's Recommendation Date: July 31, 2023

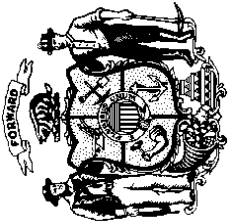
**OOS' Decision Information: (Signed on 8/17/23 3:19:08PM):**

Person(s) Contacted: OOS

OOS' Summary: The following is the Secretary's decision on the Corrections Complaint Examiner's recommendation of 07/31/2023 in the above appeal: The attached Corrections Complaint Examiner's recommendation to DISMISS this appeal is accepted as the decision of the Secretary. The Office of the Secretary has determined that the actions taken by WCI staff are appropriate.

OOS' Decision: Dismissed

OOS' Decision Date: August 17, 2023



**State of Wisconsin**  
Department of Corrections

**DISTRIBUTION ITEMS**  
**for COMPLAINT NUMBER WCI-2023-8259**

Item	Create Date	Created By	Sent To	Inmate ID	Print Date	Printed By
ICE Receipt	06/06/2023 8:20:10AM	Tonia Moon	WCI	579750	06/07/2023 2:59:21PM	Tonia Moon
ICE Report	06/15/2023 5:08:47PM	Randall Hepp	WCI	579750	06/19/2023 1:31:54PM	Tonia Moon
RA Report	06/15/2023 5:08:47PM	Randall Hepp	WCI	579750	06/19/2023 1:31:54PM	Tonia Moon
CCE Receipt	06/28/2023 7:47:58AM	Matthew Greenwood	WCI	579750	06/28/2023 1:31:28PM	Tonia Moon
CCE Report	08/17/2023 3:19:07PM	Cindy O'Donnell	WCI	579750	08/18/2023 2:27:43PM	Brian Kolb
OOS Report	08/17/2023 3:19:07PM	Cindy O'Donnell	WCI	579750	08/18/2023 2:27:43PM	Brian Kolb

## INMATE COMPLAINT

### OFFICE USE ONLY

DATE RECEIVED

JUN 05 2023

COMPLAINT CODE

12

COMPLAINT FILE NUMBER

WCI 2023 8259

### INSTRUCTIONS FOR INMATE:

- Complete **ALL** sections of this form
- You **MUST** use a DOC-400B, if additional space is needed.
- Do not use a highlighter or marker on this form. Do not staple or tape this form.
- The form may be returned to you if you submit an incomplete form or if you do not follow the instructions.
- Print clearly, illegible forms will not be processed. See reverse side for more information.

INMATE NAME

Justin P. Welch

DOC NUMBER

579750

HOUSING UNIT

NCH D-48

FACILITY

WCI

LOCATION OF INCIDENT

NCH

DATE OF INCIDENT

6-1-23

TIME OF INCIDENT

9:00 AM

### ANSWER THE FOLLOWING QUESTIONS IN THE SPACES PROVIDED:

Briefly state who or what is the **ONE** issue, of this complaint. What remedial action are you requesting?

Not being able to go to rec without any reason at all....

With whom did you attempt to resolve your **ONE** issue, and what was the result of this attempt, prior to submitting this complaint? Send any documentation you have, that supports your attempt to resolve your claims.

I did e-mail the warden's office  
Ms Prosser said I should write LT Staniec for whatever reason I was marked noncompliant.  
Writing LT Staniec to see what was marked down.

What are the details surrounding this complaint?

We get rec once a week if we are lucky.  
I can't understand for the life of me why I was unable to go to rec today. What rule or DOC policy did I violate? And if I did why didn't I get a CR to fight my case. I need that one hour a week out of my cell. Can somebody look into why this happened to me? This was unjust and uncalled for. I did not do anything wrong.... Something needs to change.

This whole thing is BS. "Write CR's"....

SIGNATURE OF INMATE

Justin P. Welch

DATE SIGNED

6-1-23

DISTRIBUTION: Original - ICTS

## **INSTRUCTIONS**

The department shall maintain an inmate complaint review system that shall be accessible to all inmates in institutions. Prior to filing a formal complaint, you must attempt to resolve the issue by following the designated process specific to the subject of the complaint. If you have not done so, the Institution Complaint Examiner (ICE) may direct you to do so.

Each complaint shall meet all of the following requirements:

- (a) Be submitted on a complaint form provided by the department.
- (b) Be legibly handwritten or typed.
- (c) Be filed only under the name by which the inmate was committed to the department or the legal name granted by a court.
- (d) Include the inmate's original signature.
- (e) Not exceed 500 words total and not exceed two pages.
- (f) Provide relevant supporting documentation, which may be accepted at the discretion of the ICE.

The ICE will acknowledge your complaint with an ICE Receipt, or return the complaint to you for correction or with further instructions, within 10 days of receiving your complaint submission. A complaint will not be processed and a referral for disciplinary action may occur in accordance with ch. DOC 303 if the complaint contains any of the following:

- (a) Obscene, profane, abusive, or threatening language unless such language is necessary to describe the factual basis of the complaint.
- (b) A foreign substance.

Each complaint may contain only one clearly identified issue.

A complaint must contain sufficient information for the department to investigate and decide the complaint.

An inmate may not file more than one complaint per calendar week except that any of the following are not subject to the filing restrictions contained in this paragraph:

- (a) Complaints regarding the inmate's health and personal safety.
- (b) Complaints made under PREA.

**NOTE:** The ICRS is governed by the rules in chapter DOC 310, Wisconsin Administrative Code. For more information on using the ICRS, please review this chapter.

**DISTRIBUTION:** Original – ICTS



## INMATE COMPLAINT APPEAL

### INSTRUCTIONS: COMPLETE ALL SECTIONS OF FORM.

- Do not use a highlighter or marker on this form. Do not staple or tape this form.
- The form may be returned to you if you submit an incomplete form or if you do not follow the instructions.
- Print clearly, illegible forms will not be processed. See reverse side for more information.
- Rejected complaints can only be appealed to the appropriate Reviewing Authority. Their decision is final.
- Submitted documentation will not be returned.
- You must use a DOC-400B if additional space is needed.
- Keep the copy of this request for your records and send the original, in a sealed envelope via US Mail, to:

CORRECTIONS COMPLAINT EXAMINER  
DEPARTMENT OF CORRECTIONS  
PO BOX 7925  
MADISON, WI 53707-7925

JUN 27 2023

INMATE NAME	DOC NUMBER	FACILITY	DOC COMPLAINT FILE NUMBER
Justin P. Welch	579750	WCI	WCI 2023-8259

STATE BRIEFLY WHY YOU ARE NOT SATISFIED WITH THE ACTION OF THE APPROPRIATE REVIEWING AUTHORITY.

This complaint was about being denied recreation on 6-1-23. They are saying I didn't stand for count 1 time and I had my cell front covered as they put it. This is untrue and they have no way to prove what they say is true. So now CO's can make up whatever they wish with no proof and I can't go to the one and only hour a week out of my cell. I can't help it staff don't like me or mess up some how. This needs to stop. Recreation is not a privilege but a right! Yet again now as today's date 6-22-23 I was denied recreation's yet again and have no idea why! I asked staff and they said they don't understand

SIGNATURE OF INMATE

Justin Welch

DATE SIGNED

6-22-23

DISTRIBUTION: Original - ICTS

## **INSTRUCTIONS**

### **DOC 310.12 Review by Corrections Complaint Examiner (CCE).**

- (1) An inmate may appeal the reviewing authority decision within 14 days after the date of the decision by filing a typed or legibly printed request for review with the CCE on forms supplied for that purpose. The institution shall make these forms accessible to inmates.
- (2) The CCE may accept, return, or recommend rejection of an appeal or complaint.
- (3) The CCE will only address issues raised in the original complaint.
- (4) The CCE shall return an appeal if any of the following apply:
  - (a) An original complaint has not been filed except as provided under s. DOC 310.09.
  - (b) The complaint has been rejected.
  - (c) The appeal is premature.
  - (d) The appeal does not list the complaint file number or contains more than one complaint file number.
  - (e) The appeal does not meet the criteria listed under s. DOC 310.10(10).
- (5) The CCE may recommend rejection of an appeal not filed in accordance with s. DOC 310.09.
- (6) Upon good cause as determined by the CCE, an appeal filed later than 14 days after the date of the reviewing authority decision may be accepted.
- (7) The CCE shall have full access to the institution, inmates, employees, and department records to investigate the appeal.
- (8) The CCE shall give priority to health or personal safety complaints.
- (9) For all accepted appeals, the CCE shall recommend that the reviewing authority decision be affirmed or dismissed, in whole or in part, and send its recommendation to the secretary within 45 days of receipt of the appeal. The CCE may extend the time for submitting a recommendation with notice provided to the inmate.

### **DOC 310.13 Secretary's decision.**

- (1) The secretary shall make a decision within 45 days following receipt of the CCE's recommendation. The secretary may extend the time for making a decision for good cause with notice provided to the inmate.
- (2) The secretary shall affirm or dismiss the CCE's recommendation, in whole or in part, or return the appeal to the CCE for further investigation.
- (3) The secretary's decision is final.
- (4) If the inmate does not receive the secretary's written decision within 90 days of the date of receipt of the appeal in the CCE's office, the inmate shall consider the administrative remedies to be exhausted, unless the time has been extended under sub. (1).

**DISTRIBUTION:** Original – ICTS File; Official Record – CCE Office File



JUN 27 2023

INMATE COMPLAINT/APPEAL (CONTINUED)

INMATE NAME	DOC NUMBER	HOUSING UNIT	FACILITY
Justin P. Welch	579750	NCH	WCI

why because I always stand for count. We only get rec once a week and some times not even that. I'm going crazy in this cell 24/7 with no time out at all. This is not only happening to me but others also who can't understand why they are being denied rec.

I don't cover my cell front and I always stand for count. If I don't that's why you have CR's. You know people are going to take this to court. Please just make them stop this at Waupun. I'm don't do anything wrong and if I do or did it can't be proven because it's a lie.

I feel all CO's need to have body cameras or in the cell halls to prove what they say. Or do you think a CO would never lie or mess up. I'm asking for body camera to be on all CO's now.

CO's don't like running recreation as is so the less inmates for them to deal with the better. I need that 1 hour a week out of my cell. This is not right to take away only 1 hour out a week or some made up stuff.

Standing or not in RUC you get 3 rec's a week. People in Seg get rec no matter what. why are staff doing this to us?

SIGNATURE OF INMATE	DATE SIGNED
Justin Welch	6-22-23

DISTRIBUTION: Original - ICTS



## INSTRUCTIONS

The Department shall maintain an inmate complaint review system that shall be accessible to all inmates in institutions. Prior to filing a formal complaint, you must attempt to resolve the issue by following the designated process specific to the subject of the complaint. If you have not done so, the Institution Complaint Examiner (ICE) may direct you to do so.

Each complaint shall meet all of the following requirements:

- (a) Be submitted on a complaint form provided by the department.
- (b) Be legibly handwritten or typed.
- (c) Be filed only under the name by which the inmate was committed to the department or the legal name granted by a court.
- (d) Include the inmate's original signature.
- (e) Not exceed 500 words total and not exceed two pages.
- (f) Provide relevant supporting documentation, which may be accepted at the discretion of the ICE.

The ICE will acknowledge your complaint with an ICE Receipt, or return the complaint to you for correction or with further instructions, within 10 days of receiving your complaint submission.

**A complaint will not be processed and a referral for disciplinary action may occur in accordance with Ch. DOC 303 if the complaint contains any of the following:**

- (a) Obscene, profane, abusive, or threatening language unless such language is necessary to describe the factual basis of the complaint.
- (b) A foreign substance.

Each complaint may contain only one clearly identified issue. A complaint must contain sufficient information for the department to investigate and decide the complaint. An inmate may not file more than one complaint per calendar week except that any of the following are not subject to the filing restrictions contained in this paragraph:

- (a) Complaints regarding the inmate's health and personal safety.
- (b) Complaints made under PREA.

**Appeals shall meet all of the following requirements:**

- (a) Be submitted on a form provided by the department.
- (b) Be legibly handwritten or typed.
- (c) Be filed only under the name by which the inmate was committed to the department or the legal name granted by a court.
- (d) Include the inmate's original signature.
- (e) Not exceed 500 words total and not exceed two pages.
- (f) Provide relevant supporting documentation, which may be accepted at the discretion of the CCE.
- (g) Be limited to the issue raised in the original complaint.

**An appeal will not be processed and a referral for disciplinary action may occur in accordance with Ch. DOC 303 if the complaint contains any of the following:**

- (a) Obscene, profane, abusive, or threatening language unless such language is necessary to describe the factual basis of the complaint.
- (b) A foreign substance.

**NOTE:** The ICRS is governed by the rules in chapter DOC 310, Wisconsin Administrative Code. For more information on using the ICRS, please review this chapter.

**DISTRIBUTION:** Original – ICTS

Name Justin P. Welch  
Number 579750  
Waupun Correctional Institution  
PO Box 189  
Phoenix, Maryland 21131

JUN 27 2023

MILWAUKEE WI 530  
23 JUN 2023 PM 6 L



Correctional Complaint Examiner  
DOE  
PO Box 7925  
Madison, WI 53707-7925

53707-792525



THIS LETTER HAS BEEN MAILED FROM  
THE WISCONSIN PRISON SYSTEM

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THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT

